

## Exhibit 59

Francesco Gallo

12/19/2007

1	Gallo	62	1	Gallo	64
2	Q. I didn't know, okay.		2	Q. He says that there is a history of her	
3	MR. KORAL: By the way, Derek, any time		3	writing a \$25,000 check and signing your name on	
4	that you or Mr. Gallo needs a break, it's okay		4	your account.	
5	with me.		5	A. Yes, yes.	
6	MR. SMITH: Okay.		6	Q. When did that occur?	
7	MR. KORAL: Just let me know, because		7	A. Three or four years ago.	
8	we've been going for an hour and a half, and if		8	Q. Sometime in 2005?	
9	you want to take a break, that's fine. Do you		9	A. Sometime 2005, either 2005 or 2004.	
10	want to keep going?		10	Q. Why did she do that, if you know?	
11	THE WITNESS: Thank you.		11	A. Why did she do it?	
12	MR. KORAL: Let's try to finish this		12	Q. Yes.	
13	document, and then we can discuss lunch.		13	A. Counsel, you know, I had the most	
14	Q. The next entry is July 26th. Do you		14	beautiful 20 years of marriage. What happened after	
15	remember that you saw Dr. Stein about two weeks		15	was just horrible, was just horrible, because my	
16	after your first visit?		16	life at Alitalia became impossible. It was a daily	
17	A. Yes.		17	torture. And of course going back home was	
18	Q. It says that you began your day program at		18	reflecting my daily pain of work. But yes, the	
19	Columbia in the outpatient.		19	marriage changed completely.	
20	A. Yes, I was going every day.		20	Q. The question was why did she write the	
21	Q. "Further history of conflict with wife."		21	\$25,000 check on your account.	
22	Do you recall telling Dr. Stein that you		22	MR. SMITH: If he knows.	
23	had trouble with your wife for two years?		23	A. I don't know. She gave it back to me, so	
24	A. Yes, it was longer than that.		24	it's not a big deal.	
25	Q. Longer than that?		25	Q. She gave the money back to you?	
1	Gallo	63	1	Gallo	65
2	A. Yeah.		2	A. Yeah.	
3	Q. Did you tell him that you had a heart		3	Q. According to this note, she actually	
4	incident and that she left for Italy on vacation at		4	forged your name on the account, she signed your	
5	the time you were having your heart problem?		5	name.	
6	A. Well, the situation is not as such. If I,		6	A. Yes.	
7	and I have --		7	Q. On your account.	
8	MR. SMITH: His question is do you		8	A. Yes. I don't know if she --	
9	remember telling him that, those words.		9	MR. SMITH: I just object to the word	
10	A. No, no, because it's not true.		10	"forge" because forge is fraudulent. We	
11	MR. SMITH: Okay, you answered it.		11	haven't established that it was forged. It was	
12	Q. It's not true?		12	signed and signable.	
13	A. No.		13	MR. KORAL: You don't need to make a	
14	Q. She didn't go off on vacation?		14	speech, Derek, just make the objection.	
15	A. She did, but the context is something		15	Q. Okay, so she signed your name on your	
16	different.		16	account and took \$25,000 of your money; did she ever	
17	Q. But you weren't unhappy about that; you		17	tell you why she did that?	
18	didn't feel she was deserting you at the time that		18	A. You know, I tell you the truth, it's not	
19	you were having a heart attack or heart incident?		19	25, it's 50, if I recall, it's not 25, it's 50.	
20	A. No, because I was supposed to go to Italy		20	Q. It was \$50,000?	
21	as well, you know. We have to leave together. And		21	A. Actually, what she did, hold it, because	
22	I had the heart attack. I was the one that pushed		22	otherwise, you know, what she did, she transferred	
23	her to go.		23	this money from my checking account to a common	
24	Q. Oh, you pushed her to go, okay.		24	checking account whereby her name and my name on the	
25	A. Yeah.		25	account, so it's a transfer of funds.	

17 (Pages 62 to 65)

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1	Gallo	66	1	Gallo	68
2	Why did she do it? I don't remember. Was		2	Mr. Gallo studies this document.	
3	it the right thing to do? No, she should have told		3	THE VIDEOGRAPHER: The time is 11:48 a.m.	
4	me, but I don't remember.		4	This concludes tape number one of the	
5	Q. The doctor says that he suggested you		5	videotaped deposition of Mr. Francesco Gallo.	
6	speak with your lawyer about arranging an account		6	(A brief recess was taken.)	
7	which should be beyond her reach; did you ever do		7	THE VIDEOGRAPHER: This is tape number two	
8	that?		8	of the videotaped deposition of Mr. Francesco	
9	A. No.		9	Gallo. The time is now 11:58 a.m. We're back	
10	Q. No, okay. The next paragraph says, "He		10	on the record.	
11	had asked her for a separation arrangement and she		11	Q. Mr. Gallo, you understand that you're	
12	refuses."		12	still under oath?	
13	A. Yes, well, I did.		13	A. Yes, sir.	
14	Q. When did you ask her for that?		14	Q. We were looking in the third paragraph on	
15	A. I believe 2003, 2004.		15	the second page of these typed notes, the third page	
16	Q. All right. This paragraph ends with the		16	of the exhibit. Do you recall telling Dr. Stein	
17	statement, "They have a marriage that is purely an		17	that your wife was accusing you of planning to kill	
18	arrangement."		18	her?	
19	Did you tell that to the doctor?		19	A. I don't recall. Me telling Dr. Stein?	
20	A. At that time, yes, now, yes, well, now		20	Q. Do you recall that she was accusing you?	
21	it's not even that.		21	A. Yes, she told me once, yes, that I told	
22	Q. When did the marriage become merely an		22	her I'll kill you, but, you know, between saying and	
23	arrangement, approximately, of course?		23	doing, you know, I was coming, I was, it was	
24	A. 2001, 2002.		24	horrible, so yeah, yeah, she had consequences	
25	MR. KORAL: How much time do we have left?		25	because --	
1	Gallo	67	1	Gallo	69
2	THE VIDEOGRAPHER: Three minutes.		2	MR. SMITH: You answered the question.	
3	A. It was a situation that was deteriorating		3	A. Okay, yes.	
4	constantly, it was gradually, you know.		4	Q. Did she accuse you of plotting to kill her	
5	Q. Okay. But 2001, 2002 --		5	as opposed to threatening to kill her?	
6	A. Was the start to change.		6	A. No.	
7	Q. And the entry for September 6, 2006 states		7	Q. She never did that?	
8	that "The difficulties with marriage are more		8	A. No.	
9	problematic and are involving the children more."		9	Q. Did she make other untrue accusations	
10	Do you remember telling that to the		10	against you around this time, in September of 2006?	
11	doctor?		11	A. Well, you know, yes.	
12	A. Can you help me?		12	Q. What were the other untrue accusations	
13	Q. I'm sorry, the September 6, 2006 entry,		13	that you can recall that she was making?	
14	it's the third paragraph down on that page. You may		14	A. When she was mad, she was telling me that	
15	be on the wrong page.		15	I, that I was gay.	
16	A. Can you --		16	Q. Okay. How many times did she say that?	
17	Q. I think you were, yes, third paragraph		17	A. Several times.	
18	down.		18	Q. All right. Did you ever tell her about	
19	A. September 6, 2006.		19	the accusations made by Dursun Oksuz?	
20	Q. Do you remember telling the doctor during		20	A. Sure, of course. Well, she knew before,	
21	your third visit that the problems in the marriage		21	then I did.	
22	were involving the children more?		22	Q. She knew about Dursun Oksuz's accusations?	
23	MR. KORAL: The videographer informs me		23	A. Before I did.	
24	that we have less than a minute. So why don't		24	Q. How did she know, if she told you?	
25	we go off the record for the moment while		25	A. She told me that Mr. Libutti told her.	

18 (Pages 66 to 69)

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Francesco Gallo

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1	Gallo	70	1	Gallo	72
2	Q.	Mr. Libutti told her that Dursun Oksuz was	2	A.	By cell phone. And I saw it because I had
3	making these accusations about you; is that right?		3	his number in my agenda, in the telephone, but I did	
4	A.	Yes.	4	not call him back.	
5	Q.	Did she tell you that you Giulio Libutti	5	Q.	How many times did that occur?
6	also said that Dursun Oksuz was making accusations		6	A.	Once or twice.
7	against Gino Ferrera?		7	Q.	Approximately when?
8	A.	No.	8	A.	It was around, I would say, July, August.
9	Q.	She didn't tell you that?	9	Q.	Of '06, not this year?
10	A.	Wife didn't tell me that.	10	A.	Last year.
11	Q.	Did you ever learn that Dursun Oksuz was	11	Q.	The year before.
12	making accusations that Gino Ferrera also was gay?		12	A.	As a matter of fact, yes, I saw the phone
13	A.	You told me. Remember?	13	call coming in afterwards and there was a message,	
14	Q.	Was that the first time you had heard	14	not a message, he was talking to Caroline, the	
15	that?		15	daughter. He forgot to close the phone call that he	
16	A.	Yes.	16	got. I did not answer because I didn't see it.	
17	Q.	Okay. Did you ever see anything that	17	Q.	So it went into voicemail?
18	Dursun Oksuz or his lawyer wrote regarding those		18	A.	Went into voicemail, you know, but he was
19	accusations?		19	talking to Caroline, so that's why.	
20	A.	Would you show me what you mean?	20	Q.	Caroline?
21	Q.	All right. I gave you a copy, I believe,	21	A.	It's the daughter, the attorney.
22	did I not?		22	Q.	His daughter?
23	A.	Yeah, you gave me one page of a document,	23	A.	Yeah, you know, the daughter, the one that
24	I don't recall, but you explained to me what took		24	she did, she, herself and her fiance, they did the	
25	place.		25	stage here because they're both attorneys.	
1	Gallo	71	1	Gallo	73
2	Q.	You don't recall what I gave you?	2	Q.	This is Caroline Conforti?
3	A.	A letter that you sent to --	3	A.	Yeah, the daughter, yeah.
4	Q.	From the lawyer.	4	Q.	All right.
5	A.	A letter that the lawyer --	5	A.	He was talking, saying Caroline, don't do
6	Q.	Sent to Leopoldo?	6	this, don't do that. So he called me. I was not	
7	A.	To Leopoldo.	7	available. And he left probably, I think, the cell	
8	Q.	Leopoldo Conforti?	8	phone on. So he went on and on and on. So he did	
9	A.	Right, yes.	9	not leave me any message. So I decided, I was	
10	Q.	And just for the record, Leopoldo Conforti	10	tempted to call him, but due to the circumstances,	
11	was and is the general counsel of Alitalia, correct?		11	and do that, I prefer not to. I still have regards	
12	A.	Sure. It was when I spoke to him last.	12	for him as a man.	
13	Q.	When was the last time you spoke to	13	Q.	He never left you a message that he
14	Leopoldo Conforti?		14	intended you to get; is that correct?	
15	A.	I'd say a couple years ago.	15	A.	Right.
16	Q.	Have you spoken to him at all since May of	16	Q.	But he called you one or two times from
17	2006, when you were told that Alitalia no longer		17	his cell phone?	
18	needed your services?		18	A.	Yes.
19	A.	After May 26th?	19	Q.	And at least this one time --
20	Q.	Yes.	20	A.	I heard his voice.
21	A.	No, I choose not to.	21	Q.	He forgot to hang up when you heard him
22	Q.	Did Mr. Conforti attempt to contact you in	22	talking to his daughter, Caroline?	
23	any way after May 26, 2006?		23	A.	Yes.
24	A.	Yes, but --	24	Q.	Caroline is an attorney?
25	Q.	How did he do that?	25	A.	I thought you knew her. They did the

19 (Pages 70 to 73)